

CASE NO. 12-57302

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

CINDY LEE GARCIA,

Plaintiff-Appellant,

vs.

GOOGLE INC. and YOUTUBE, LLC,

Defendants-Appellees.

**APPELLEES GOOGLE INC. AND YOUTUBE, LLC'S
MOTION TO RESCHEDULE ORAL ARGUMENT**

On Appeal from the United States District Court
for the Central District of California

Hon. Michael W. Fitzgerald, District Judge
District Court Case No. CV-12-8315-MWF (VBKx)

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Pursuant to FRAP 34(b) and Circuit Rule 34-2, Defendants-Appellees

Google Inc. and YouTube, LLC (collectively, “YouTube”), hereby move the Court for an order rescheduling oral argument, which is currently scheduled for Monday, June 3, 2013, at 9:30 a.m.

Good cause exists for the requested rescheduling. Timothy L. Alger, lead counsel for YouTube, has a nonrefundable family vacation in Italy from June 2 to June 18, which cannot be rescheduled without substantial personal and economic hardship. Mr. Alger has represented YouTube since the beginning of this case, and is intimately familiar with the relevant facts and law. He is best equipped to present oral argument in this case on behalf of YouTube.

YouTube does not object to advancing the hearing to the Court’s May calendar, if that is convenient for the Court. Mr. Alger also is available anytime after June 19, 2013, with the exception of July 29 to August 9, 2013.

Counsel for Plaintiff-Appellant Cindy Lee Garcia, when contacted about YouTube’s request, indicated that she would not support a continuance to a later date, but she does not object to advancing the hearing to May.

YouTube therefore respectfully requests that oral argument be rescheduled to a date convenient for the Court on any date prior to June 2 and after June 19,

2013, with the exception of July 29 to August 9.

DATED: March 29, 2013

PERKINS COIE LLP

By: /s/ Timothy L. Alger
Timothy L. Alger

Attorneys for Appellees
Google Inc. and YouTube, LLC

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF System on February 15, 2013.

I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF System.

DATED: March 29, 2013

/s/ Timothy L. Alger

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Attorneys for Appellees
Google Inc. and YouTube, LLC